

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

August 5, 2010
2:30 p.m. – 4:00 p.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Judge Larry Winthrop
Clerk Ruth Willingham
Jeremiah Matthews

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Chief Judge Joe Howard*
Clerk Jeff Handler*

AOC STAFF PRESENT

Stewart Bruner, *ITD*
Melinda Hardman, *CSD*
Karl Heckart, *ITD*
Jim Price, *ITD*

* indicates appeared via telephone

WELCOME AND MEETING PURPOSE

Justice Hurwitz welcomed all to the meeting and turned the meeting over to Karl Heckart for an Appellate TurboCourt update.

APPELLATE TURBOCOURT E-FILEING PROGRESS

Karl informed members that testing of the appellate e-filing application is not proving to be sufficient to support a September release date. Karl estimated the project to be about 60 days behind schedule, making November 1 a more realistic implementation date.

Conversation then turned to the issues of clerk review, authority to reject filings, and the related financial processes for accepting and refunding filing fees. Jeff Handler described Division Two's current process for rectifying problems with e-filings. After discussing whether clerks can in fact reject or merely review filings as well as the appropriate length of time to give filers to rectify problems, Justice Hurwitz summarized that a manual refund process makes the most sense because the filing reject rate is historically low while the process to automate refunds would be extremely complex.

Justice Hurwitz requested a follow-up meeting in early September for the various groups involved to describe actions they are taking to ensure a November 1 deadline would be met.

DIRECT FILING OF PETITIONS FOR REVIEW

Members reviewed Ellen Crowley's process description for filing and serving copies of petitions for review (PRs) along with proposed changes to Civil Appellate Rules 22 and

23 necessary to enable direct filing of PRs in the Supreme Court. The goal continues to be inclusion on the August rules agenda to ensure the rule change will be in place prior to the implementation of appellate e-filing. Ellen will incorporate changes resulting from discussions in the meeting and redistribute the documents to members in advance of the next meeting Labor Day week. The State Bar will also be included in the next review.

RECORD ON APPEAL TRANSFER

Jim Price explained that issues with obtaining the record on appeal from the Maricopa Clerk's Office described in previous meetings have still not been resolved. Justice Hurwitz directed Karl to meet with Marcus Reinkensmeyer and David Stevens to get the issues on the table and determine the specific resolution steps.

OTHER ISSUES

Rachelle Resnick reviewed a list of questions and concerns related to the appellate AZTurboCourt implementation and changes in business practice for her office, including the scope of the soft launch, the reconciliation process, testing of clerk review functions, training for both court staff and filers, and the implications for the policy about review/rejection of e-filed documents as discussed earlier in the meeting.

A follow-up meeting will be called in early September to track progress of all projects mentioned.

Meeting adjourned at 4:05 p.m.